



City of Tempe

SUMMARY FOR OPEN HOUSE
ZONING REWRITE

Wednesday, September 10, 2003
6:30-8:30pm Tempe Public Library

ATTENDANCE:

Wayne Shippy	Mark Mayer	Kristin Shaeffer
Jim Malicki	Marshall Riegel	David Lucier
Karyn Gitlis	Dan W. Frank	Micael Hefmonn
Al Glusker	B. H. Ferrell	Darlene Justus
Richard Nular	Carolyn Koerchrar	Roy Hoyt
Brian/Sue West	Ruth Yabes	Cynthia Grant
Herbert Fibel	Tom Hinchion	Ryan Meyers
Cynthia Jewett	Shirley/Jerry Sparren	Edward B. Wong
Mike/Candy Galwey	Jan Bush	Lisa Danielson
Gary Roberts	Mark Lymer	Rob/Dee Haver
Jeanette/Ernie Nichols	Jim Peterson	Phil Amorosi
Jean Scarpoue	Richard/Dorothy Hughe	Bill Wagner
Bill Bulter	Douglas Roether	Frances Colley
Sharon Gonwa	Gina Bessman	Kristy Baldwin
Joe Yousew	Cecila Lawson	Suzanne Gilstrap
Kirby Spittler	Karen Spittler	Elizabeth Lovins
Robert/Lisa Mode	Allyce Hargrove	Roger Hart
Don Baker	Neil Wester	Jeanne Hart
Mary Swallow	Julie Messner	Dusty Mornis
Raul/Nancy Ruiz	Heather Briones	Rich Bank
Ralph Collins	Barbara J. Smith	

STAFF ATTENDING:

Roger Millar, OTAK	Fred Brittingham	Chris Messer
Melanie Hobden	Ryan Levesque	Steve Venker
Bill Kersbergen		

1. INTRODUCTION

- A powerpoint overview of the Zoning Rewrite was presented to the group.
- Estimated over 70 people in attendance.
- Recommendation was made to provide input as one group instead of three or four. Response, since we have such a large group, not all would be able to participate as one group.
- Citizen cited the number of practitioners in their respective fields who were on the Citizen Advisory Committee.

- CLARIFICATION COMMENTS:
 - Need to clarify Hearing Officer appeal vs. protest.
 - Need to clarify the advertising of public hearings.
 - What if zoning code was adopted and then the General Plan 2030 was voted down? The zoning code still implements the current General Plan.
 - MU designation, will there be a graphic example of the density? Currently we don't.
 - Do you cover anything about Historic Preservation and defense against PADs? No.
 - As a public citizen, if I build a garage, do I have to have a neighborhood meeting? Only if it deviates from the standards.
 - The issue of rentals and definition of family. Do the same number of residents in a home for single family still apply? Yes.
 - Any changes to pool requirements from CPTED. No.
 - Storm water Management, don't see it in the code.
 - How do you address conflicting comments, what is the basis? Both types of comments have significant importance. Staff will make their recommendations, as well as, Planning Commission. The final decision will be the City Council.
 - Is there going to be affordable housing in Tempe?
- Citizens broke into three groups to collect comments.

2. PUBLIC COMMENTS

- Do not want 2nd story in a single family residence without public hearing.
- Concern, increase in density will negatively impact our quality of life in Tempe.
- No decrease in setbacks.
- Accessory dwellings have to count towards density.
- Accessory dwelling definition needs clarification.
- In R1-6 would like to have the ability to have guest quarters, not rental, one meter with main house.
- Student rentals in R1-6 problem- no means of enforcement in number of residents and cars- fourteen people concerned.
- No increase in density.
- Need a list of permitted uses for home occupation. More simple to make additions.
- Zoning ordinance alludes to SAP process. Loosen up roadblocks to developing an SAP- as long as process ok- with or without city staff.
- Hearing officer meetings- no new appeal after "yes" or "no" from hearing officer. Counter comment- 7-day window for appeal should stand. (Current language).

- The entire retention pond system needs to be evaluated and re-written.
- Lot ties- should go to public hearing- public input, best way to achieve balance between certainty and flexibility.
- SAP/ strategic plans route to balance between flexibility and certainty.
- Ordinance must incentivize and define sustainability.
- Incentivize "leed certified" and "leed benchmarked" buildings.
- Need new methodology- way to enforce and define family- "3 unrelated persons" in home
- At least 1 of the MU districts should require mix-uses: commercial and residential.
- MU designation unclear. Impossible to determine the intensity or scale of the underlying zoning category. Re: break it down in specific areas by MU 1-2-3 or 4.
- Public hearings for lot replats (combined lots).
- Do not allow lot amalgamation in historic designated areas.
- Need historic overlay district designation to prevent developing form overtaking these historic areas.
- The assumptions of the zoning re-write is wrong- 1974 zoning code built upon a growing area. Now we need to re-write to accommodate growth. Original zoning was based on Quality of Life (QOL). Now QOL is no longer the top priority. Instead it is that development, tax revenue, and bringing in people is the priority. Zoning re-write is laundry list for developers: their wish list.
- Q: What is generating this re-write? Are you willing to trade QOL? (instead of assumption to ^ population and revenue.) We can't afford some of these projects.
- Recommend that the General Plan 2030 must first be voted upon and approved by the electorate before the zoning re-write is adopted without voters' approval.
- Proposed variance approval process does not retain, or make clear mechanism option for the protest.
- Clarify the criteria for approval/ disapproval process that B of A hearing offices use.
- Get more neighborhood input in a village (PHX.) concept so that the neighborhood has weighted input to determine what goes on into their neighborhood. Need charter- 1= vote of neighborhood amendment to council votes.
- PAD's- neighborhoods does/doesn't have as much input. The developers has an easier way as the PAD sets its own standards. PAD procedures a unified area, a threat to unified historic area.
- Protest MU for designation + eliminate because 0 setbacks are unacceptable.
- 0 setbacks O.K.
- Keep open space registered as it is in existing code (do not reduce).
- Do not sacrifice height for space (don't rise height to get more open space).
- If buildings + height are raised, what will this do to resident taxes for to pay for increased/ better city service (ex. bigger ladder trucks) for fire protection.
- Put POD in plan
- Remove SAP section from re-write. Do amendment later.
- Even though I was not part of discussion group II on the public open house on zoning+ development code (9-10-03) I would like to go on record to support all their points that they brought

up. Over all their points helps control slow, and limit large development (sic) from getting way with the city without neighborhood input.

- The idea of the SAP is great. But, some of the specifics in the re-write are restrictive and place an undue burden on neighborhoods. Remove the SAP section in the re-write as too much in it needs to be simplified or eliminated. (ex. 33% of property owners need to initiate >This is an impossible standard for neighborhoods to meet). Once SAP section finalized then put into amendment.
- Need public hearing on residential, family areas turning into student rentals + other rentals. Numerous homes are turning into run down neglected yards, dying trees, bushes, lawns, numerous vehicles. Landlord of rentals need to post codes for their renters like: (rental codes) 1. no parking on lawns. 2. car washing on lawns. 3. number of cars in yard. 4. noise 5. upkeep of front yards.
- Concerned that with ASU + City of Tempe taking homes for development, will there be affordable housing in Tempe? Home owner's rights!!!
- Section 6-402. Suggest a standard format be added to the notification requirement. That is notification must include items such as description of proposal in "everyman" language and reminder that person must respond by x date, and exactly how comments will be gathered. Also a standard for recording neighborhood comment should be developed especially if there is a meeting (i.e. tape recording, attendance, meeting minutes)
- Increase notification of Hearing for a variance from 300 ft. to 500 ft. and disinclude neighborhood associations (sic). Densify and renovate certain areas, increasing transit services, bike paths, taking pressure off of outlying areas.
- No "accessory dwelling units" in R1. Defeats purpose of R1. (single family)
- Currently, posted signs advertising variance/ adjustment hearings are very vague. Require signs + adverts to specify what is being requested, in detail. No more "smith house remodel hearing".
- Require hearings on high-impact, controversial projects to be held after working hours. Most people simply can't attend 1:30 pm weekday meetings.
- Hierarchy of planning decision making starts with the neighborhood residents. Then boards/comms. Then town council- staff is advisory to boards/ community/T.C.
- Hearing officer meetings should be in evenings, not during working hours.
- Include standards of sustainability when establishing standards of quality.
- At least one of the MU districts should require, no just allow, a mix of uses. This will give additional opportunities (more tools in the box) to bring neighborhood needs and developer needs to a mutually beneficial resolution. An MU district that requires mixed uses offers more certainty than those districts that simply allow mixes.
- Fundamentally why allow rental houses in single family zoning?
- Continue to limit signage more aggressively. Not liberalize it. We don't want Las Vegas.
- "Lot ties" Should need a public hearing, or else setback limits are meaningless. "Lot assemblage" "re-plating" same.
- Comment: The 300' requirement for neighborhood input is currently "one size fits all". Same for a shopping center as for a front porch! This is contrary to intent a revision. I suggest requiring a much larger radius for large, high impact developments.
- Comment: Don't reduce side setback limits in R-1, R-2, R-3 zones. Smaller setbacks= higher density. Provides no advantage to average homeowner, substantial advantage to developers.

- If I have a rental home with 3 unrelated persons living in the house- how is it enforced by the city?
- If I live in a house and the house to my left is a rental, and the house behind me is a rental? Would it appear as an apartment complex if my house and the house on my right were rentals too. What is the rationale for allowing rental in "R" zones?
- As our town 'matures' options to stay put in stabile neighborhoods as we mature. Our mature age income is generally more constricted. Don't accessory dwelling units become viable option to augment incomes in retirement?
- If active areas are safer and a mother-in-law is in the backyard and the entry to the accessory dwelling unit (mother-in-law) creates activity, then why would police oppose more active alleys?